

Committee Agenda

Committee: House Commerce and Energy
Room: 464
Date: Wednesday, February 9, 2011
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1256](#) **revise certain provisions regarding the sale of new or used vehicles and the sale of certain emergency vehicles.**

The Committee on Taxation

[HB 1056](#) **establish an additional time period during which fireworks may be sold and discharged and to revise certain provisions regarding county regulation of fireworks.**

Representatives Miller, Abdallah, Blake, Bolin, Boomgarden, Deelstra, Dennert, Elliott, Fargen, Feinstein, Greenfield, Haggar, Hansen (Jon), Hawley, Hickey, Hoffman, Hubbel, Hunhoff (Bernie), Jensen, Jones, Killer, Kirkeby, Kloucek, Kopp, Magstadt, Moser, Munsterman, Nelson (Stace), Novstrup (David), Olson (Betty), Rozum, Schaefer, Steele, Stricherz, Tulson, Van Gerpen, Wick, and Willadsen and Senators Lederman, Adelstein, Begalka, Brown, Buhl, Heineman, Maher, Nelson (Tom), Novstrup (Al), Nygaard, Rampelberg, Rave, and Schlekeway

[HB 1223](#) **revise licensure fees for, and to prohibit certain harassment practices by, persons engaging in the business of payday loans and title loans.**

Representative Hickey and Senator Cutler

[HB 1224](#) **provide a maximum finance charge for payday loans and title loans.**

Representatives Hickey, Blake, Elliott, Fargen, Feinstein, Hubbel, Hunhoff (Bernie), Killer, Kirschman, Kloucek, Kopp, Nelson (Stace), Russell, Sigdestad, and Verchio and Senators Cutler, Holien, Lederman, and Schlekeway

[HB 1238](#) **revise who may be issued special alcoholic beverage licenses in conjunction with a special event and to require local governing bodies to establish rules regulating and restricting the operation of special alcoholic beverage licenses.**

Representatives Solum, Cronin, Fargen, Greenfield, Kirkeby, Kirschman, Tornow, and Wink and Senators Rhoden, Frerichs, Lederman, Maher, and Nelson (Tom)

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

ROGER D. SOLUM, Chair

86th Legislative Session – 2011

Committee: House Education

Wednesday, February 09, 2011

P - Present
E - Excused
A - Absent

Roll Call

E Elliott
P Haggard
P Hunt
P Jones
P Killer
P Lucas
P Miller
P Perry
P Schaefer
P Stricherz
P Tulson
P Vanneman
P Venner
P Sly, Vice-Chair
P Brunner, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Brunner, Chair.

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 7, 2011

Moved by: Vanneman
Second by: Sly
Action: Prevailed by voice vote.

HB 1211: establish provisions to enhance education in the state concerning the history of labor and collective bargaining.

Presented by: Representative Patrick Kirschman

MOTION: DEFER HB 1211 TO THE 41ST LEGISLATIVE DAY

Moved by: Jones

Second by: Schaefer

Action: Prevailed by roll call vote. (14-0-1-0)

Voting Yes: Haggar, Hunt, Jones, Killer, Lucas, Miller, Perry, Schaefer, Stricherz, Tulson, Vanneman, Venner, Sly, Brunner

Excused: Elliott

HB 1196: provide for the establishment of veterans resource centers at certain state colleges and universities.

Presented by: Representative Susy Blake

Proponents: Brett Kavanaugh, Self, Rapid City, via telephone
Derek Douglas, SDSU Veterans Club
Blaine Reynolds, Self, Vermillion
Andrew Ellis, Self, Brookings
Representative Stace Nelson

Opponents: Jack Warner, SD Board of Regents
Steve Harding, Military and Veterans Affair

Paul Turman, Board of Regents, answered a question

MOTION: DO PASS HB 1196

Moved by: Lucas

Second by: Venner

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1196 TO THE 41ST LEGISLATIVE DAY

Moved by: Perry

Second by: Hunt

Action: Failed by roll call vote. (6-8-1-0)

Voting Yes: Haggar, Hunt, Perry, Vanneman, Sly, Brunner

Voting No: Jones, Killer, Lucas, Miller, Schaefer, Stricherz, Tulson, Venner

Excused: Elliott

THE MOTION TO DO PASS HB 1196

Moved by: Lucas

Second by: Venner

Action: PREVAILED BY ROLL CALL VOTE. (8-6-1-0)

Voting Yes: Jones, Killer, Lucas, Miller, Schaefer, Stricherz, Tulson, Venner

Voting No: Haggar, Hunt, Perry, Vanneman, Sly, Brunner

Excused: Elliott

HB 1083: revise certain state education benefits for veterans.

Presented by: Representative Stace Nelson

Proponents: Derek Douglas, SDSU Veterans Club

Blaine Reynolds, Self, Vermillion

Andrew Ellis, Self, Brookings

Opponents: Paul Turman, Board of Regents

Liza Clark, Bureau of Finance and Management.

Lorin Pankratz, Visitor Industry Alliance

THE CHAIR DEFERRED HB 1083

HB 1203: allow school districts, for a period of two years, to transfer funds from the capital outlay fund to the general fund under certain circumstances.

Presented by: Representative Jim White (Handout: 1)

Opponents: Dianna Miller, Large School Group

Dick Tieszen, Sioux Falls School District

MOTION: DO PASS HB 1203

Moved by: Hunt

Second by: Venner

Action: Prevailed by roll call vote. (11-2-2-0)

Voting Yes: Haggar, Hunt, Jones, Killer, Miller, Perry, Schaefer, Stricherz, Tulson, Venner, Sly

Voting No: Vanneman, Brunner

Excused: Elliott, Lucas

MOTION: ADJOURN

Moved by: Hunt

Second by: Sly

Action: Prevailed by voice vote.

Joshua Klumb
Committee Secretary

Thomas J. Brunner, Chair

Committee Agenda

Committee: House Judiciary
Room: 413
Date: Wednesday, February 9, 2011
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[HB 1087](#) **address comprehensibly the liability relationship between a trespasser and a person with a possessory interest in land.**

Representatives Hunt, Rausch, and Wick and Senator Peters

[HB 1206](#) **revise certain provisions relating to grandparent visitation and to declare an emergency.**

Representatives Tornow, Cronin, Fargen, Liss, Novstrup (David), Rausch, Van Gerpen, and Vanneman and Senators Cutler, Holien, and Rave

[HB 1144](#) **create a statutory lien for certain health care providers.**

Representatives Hunt, Haggar, Hawley, Hubbel, Jensen, Kirkeby, Kirschman, Lucas, Moser, Novstrup (David), and Verchio and Senators Hansen (Tom), Begalka, Bradford, Kraus, Krebs, Lederman, and Nelson (Tom)

[HB 1145](#) **provide for the identification of the law applicable to certain claims for damages.**

Representatives Hunt, Boomgarden, Gibson, Nelson (Stace), Rausch, and Turbiville and Senators Rave, Hunhoff (Jean), Schlekeway, Tieszen, and Vehle

[HB 1171](#) **provide that the use of force by a pregnant woman for the protection of her unborn child is an affirmative defense to prosecutions for certain crimes.**

Representatives Jensen, Bolin, Brunner, Greenfield, Haggar, Hansen (Jon), Hickey, Hoffman, Hubbel, Kopp, Magstadt, Miller, Nelson (Stace), Olson (Betty), Rausch, Russell, Sly, Steele, Stricherz, Van Gerpen, Venner, Verchio, and Willadsen and Senators Kraus, Frysliie, Lederman, and Maher

[HB 1183](#) **protect the rights of public employees to participate in certain political activities and to have contact with elected officials.**

Representatives Nelson (Stace), Abdallah, Dennert, Feickert, Hansen (Jon), Hoffman, Hubbel, Jensen, Liss, Miller, Moser, Olson (Betty), Perry, Tulson, and Verchio and Senators Gray, Buhl, Frerichs, Maher, Olson (Russell), Rave, and Rhoden

[HB 1184](#) **limit the subrogation of certain insurers unless and until the insurer is fully compensated.**

Representatives Gosch, Abdallah, Blake, Brunner, Cronin, Deelstra, Dennert, Elliott, Fargen, Feinstein, Gibson, Haggar, Hansen (Jon), Hoffman, Hubbel, Hunhoff (Bernie), Kirkeby, Liss, Lucas, Magstadt, Miller, Moser, Nelson (Stace), Rausch, Sly, Tornow, Venner, Verchio, Wick, and Wismer and Senators Cutler, Bradford, Kraus, Nelson (Tom), Nygaard, Rampelberg, Rhoden, and Sutton

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

ROGER W. HUNT, Chair

Committee Agenda

Committee: House State Affairs
Room: 414
Date: Wednesday, February 9, 2011
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

- [HJR 1003](#) **Proposing and submitting to the electors at the next general election an amendment to Article III, section 6 of the Constitution of the State of South Dakota, relating to four-year legislative terms and term limits.**
Representative Feinstein and Senator Hansen (Tom)
- [HB 1111](#) **revise the amount reverted to the general fund from the financing statement and annual reporting filing fund.**
Representatives Lust, Bolin, Dryden, Kirkeby, Moser, Olson (Betty), Russell, and Turbiville and Senators Olson (Russell), Haverly, and Vehle
- [HB 1125](#) **increase the amount of certain veterans' bonus payments.**
Representatives Kloucek, Hunhoff (Bernie), Iron Cloud III, Kirschman, Schrempp, and Stricherz and Senators Putnam, Bradford, Frerichs, Gray, and Sutton
- [HB 1126](#) **revise the salary schedule for veterans' service officers.**
Representatives Kloucek, Iron Cloud III, Kirschman, Lucas, Nelson (Stace), Schrempp, and Stricherz and Senators Putnam, Bradford, and Sutton
- [HB 1130](#) **allow certain adult children of overseas citizens to vote in the state.**
Representatives Feinstein, Gosch, Hunhoff (Bernie), Kirkeby, Lucas, and Lust and Senators Adelstein and Hansen (Tom)
- [HB 1253](#) **establish provisions for military and overseas voters.**
Representatives Feinstein, Hunhoff (Bernie), Kirkeby, and Lucas and Senators Adelstein, Hansen (Tom), and Nygaard
- [HB 1165](#) **establish certain legislative findings, to prohibit the enforcement of certain federal health care laws, and to provide a penalty therefor.**
Representatives Hubbel, Jensen, Liss, and Nelson (Stace) and Senators Begalka and Lederman
- [HB 1230](#) **establish the large project development fund, to provide for its administration, and to make an appropriation therefor.**
The Committee on State Affairs at the request of the Office of the Governor
- [HB 1233](#) **limit liability from damages caused by certain aviation products.**
The Committee on State Affairs at the request of the Office of the Governor

[HB 1234](#)

repeal the requirement for certain reports to be made to the Board of Economic Development.

The Committee on State Affairs at the request of the Office of the Governor

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

DAVID LUST, Chair